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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

KENNETH BRISTOW, Individually and On Behalf of All Others Similarly Situated, Plaintiff, v. SUNPOWER CORPORATION, et al., Defendants.	Case No. 16-cv-04710-RS **STIPULATION AND [PROPOSED] ORDER (1) ESTABLISHING MASTER CASE FILE; (2) SETTING DATE FOR FILING OF CONSOLIDATED COMPLAINT AND BRIEFING SCHEDULE; AND (3) CONTINUING INITIAL CASE MANAGEMENT CONFERENCE**
JAY PATEL, Individually and On Behalf of All Others Similarly Situated, Plaintiff, vs. SUNPOWER CORPORATION, et al., Defendants.	Case No. 16-cv-04915-RS

WHEREAS, on December 9, 2016, the Court entered an order consolidating the above actions ("Consolidated Action") and appointing Brower Priven, A Professional Corporation, as lead counsel, and Finkelstein Thompson LLP, to serve as liaison counsel;

WHEREAS, the Parties believe that a Master File should be established for the consolidated proceedings, all previously filed documents in either of the consolidated cases should be incorporated into the record, and any subsequently filed actions pertaining to or arising from the same facts and circumstances as those set forth in the above-captioned actions should be consolidated with the Consolidated Action;

WHEREAS, the Parties have met and conferred about scheduling the filing of a consolidated complaint, the briefing schedule for Defendants' anticipated motion to dismiss, and the Initial Case Management Conference ("CMC"), which is currently scheduled for January 26, 2017;

WHEREAS, the Parties believe that due to the legal issues presented in the case, the briefing schedule set forth in Local Rule 7-3 should be extended;

WHEREAS, pursuant to the Private Securities Litigation Reform Act, 15 U.S.C. § 78u-4(b)(3), discovery in this action is stayed pending the resolution of Defendants' motion to dismiss;

WHEREAS, the Parties believe that it is in the interests of judicial efficiency and economy that the Initial CMC should be continued pending the resolution of Defendants' motion to dismiss;

WHEREAS, subject to the approval of the Court, the parties respectfully request that the January 26, 2017 CMC and related CMC and ADR deadlines be vacated and continued until after a ruling on Defendants' motion to dismiss;

ACCORDINGLY, SUBJECT TO THE APPROVAL OF THE COURT, THE PARTIES HEREBY STIPULATE AND AGREE as follows:

1. A Master File shall be established for the consolidated proceedings in the Consolidated Action. The docket number for the Master File shall be Master File No. 3:16-cv-04710-RS. The original of this Order shall be filed by the Clerk in the Master File.

2. Every pleading filed in the Consolidated Action shall bear the following caption:

IN RE SUNPOWER CORPORATION SECURITIES LITIGATION	Master File No. 3:16-cv-04710-RS

3. All documents previously filed to date in any of the cases consolidated herein are deemed a part of the record in the Consolidated Action.

4. This Order shall govern all subsequently filed actions pertaining to or arising from the same facts and circumstances as those set forth in the above-captioned actions and that properly belong as part of the Consolidated Action.

5. Plaintiffs shall file the consolidated complaint by March 9, 2017.

6. Defendants shall file a response to the complaint by May 8, 2017.

7. Should Defendants filed a motion to dismiss on or before May 8, 2017, Plaintiffs shall have 60 days to file an opposition, and Defendants shall have 30 days to file a reply brief.

8. The Parties shall meet and confer as to an appropriate hearing date.

9. The Initial Case Management Conference shall be continued until after a ruling on Defendants' motion to dismiss, to such date and time as the Court may order.

DATED: January 11, 2017

FINKELSTEIN THOMPSON LLP

By: /s/ *Rosemary M. Rivas*
Rosemary M. Rivas

Liaison Counsel for Plaintiff

DATED: January 11, 2017

WILSON SONSINI GOODRICH & ROSATI

By: /s/ *Diane Marie Walters*
Steven Mark Schatz
Diane Marie Walters

Counsel for Defendants

[PROPOSED] ORDER

Based on the foregoing stipulation and good cause being shown, the Court hereby GRANTS the parties' Stipulation. The Court hereby orders as follows:

1. A Master File shall be established for the consolidated proceedings in the Consolidated Action. The docket number for the Master File shall be Master File No. 3:16-cv-04710-RS. The original of this Order shall be filed by the Clerk in the Master File.

2. Every pleading filed in the Consolidated Action shall bear the following caption:

IN RE SUNPOWER CORPORATION SECURITIES LITIGATION	Master File No. 3:16-cv-04710-RS

3. This Order shall govern all subsequently filed actions pertaining to or arising from the same facts and circumstances as those set forth in the above-captioned actions and that properly belong as part of the Consolidated Action.

4. When a case that properly belongs as part of the Consolidated Action is hereafter filed in the Court, this Court requests the assistance of counsel in calling to the attention of the Court the filing of any case which might properly be consolidated as part of the Consolidated Action, and counsel are to assist in assuring that counsel in subsequent actions receive notice of this Order.

5. Plaintiffs shall file the consolidated complaint by March 9, 2017.

6. Defendants shall file a response to the complaint by May 8, 2017.

7. Should Defendants file a motion to dismiss on or before May 8, 2017, Plaintiffs shall have 60 days to file an opposition, and Defendants shall have 30 days to file a reply brief.

8. The Parties shall meet and confer as to an appropriate hearing date.

9. The Initial CMC and related CMC and ADR deadlines are continued until after the Court's ruling on Defendants' motion(s) to dismiss, to such date and time as the Court may order.

IT IS SO ORDERED.

Date:______________ ______________________________________

HON. RICHARD SEEBORG
United States District Court Judge

FILER'S ATTESTATION

Pursuant to Civil Local Rule 5-1 regarding signatures, I attest under penalty of perjury that the concurrence in the filing of this document has been obtained from all signatories.

/s/ *Rosemary M. Rivas*
Rosemary M. Rivas